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Letter dated 20 December 2017 from the Chair of the Security Council Committee established pursuant to resolution 1970 (2011) concerning Libya addressed to the President of the Security Council

I have the honour to transmit herewith the report of the Security Council Committee established pursuant to resolution 1970 (2011) concerning Libya, containing an account of the Committee's activities from 1 January to 31 December 2017. The report, which was approved by the Committee, is being submitted in accordance with the note by the President of the Security Council of 29 March 1995 (S/1995/234).

I should be grateful if the present letter and the report were brought to the attention of the members of the Security Council and issued as a document of the Council.

(*Signed*) Olof **Skoog**
Chair
Security Council Committee established pursuant to resolution 1970 (2011) concerning Libya

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Report of the Security Council Committee established pursuant to resolution 1970 (2011) concerning Libya

I. Introduction

1. The present report of the Security Council Committee established pursuant to resolution 1970 (2011) concerning Libya covers the period from 1 January to 31 December 2017.

2. The Bureau of the Committee consisted of Olof Skoog (Sweden) as Chair and the representative of Italy as Vice-Chair.

II. Background

3. By its resolution 1970 (2011), the Security Council established the Committee and imposed a two-way arms embargo on Libya, as well as a travel ban and an asset freeze on designated individuals and entities, and outlined exemptions to those measures. The Committee is tasked with, among other things, overseeing the implementation of the sanctions measures. By its resolution 1973 (2011), the Council established a panel of experts to assist the Committee in carrying out its mandate and imposed additional measures relating to Libya, including the authorization to protect civilians, the establishment of a no-fly zone and a ban on flights of Libyan aircraft, in addition to authorizing inspections, including on the high seas, in relation to the arms embargo. In both resolutions, the Council outlined criteria for designation under the travel ban and asset freeze measures and listed specific individuals and/or entities as subject to those measures. Subsequently, in its resolutions 2009 (2011), 2016 (2011), 2040 (2012) and 2095 (2013), the Council terminated or eased some of the measures and introduced further exemptions thereto, delisted two entities and terminated the authorization for inspections, including on the high seas.

4. By its resolution 2146 (2014), the Security Council decided to impose measures, such as prohibitions on loading, transporting or discharging crude oil, entering ports, bunkering services or other servicing, and financial transactions, in relation to designated vessels attempting to export crude oil illicitly from Libya. Exemptions to the measures were also included. Subsequently, in its resolution 2362 (2017), the Council decided to extend the measures by making them applicable to vessels loading, transporting or discharging petroleum, including crude oil and refined petroleum products, illicitly exported or attempted to be exported from Libya. By its resolution 2174 (2014), the Council reinforced the arms embargo and, by the same resolution and resolutions 2213 (2015) and 2362 (2017), further elaborated the criteria for designation. Provisions for Member States to inspect, in their territory, cargo to and from Libya and designated vessels on the high seas were included in the sanctions regime in the context of the enforcement of the arms embargo and of the measures aimed at preventing the illicit export of petroleum from Libya. By its resolution 2292 (2016), the Council also authorized for 12 months inspections on the high seas off the coast of Libya of vessels believed to be carrying arms or related materiel to or from Libya in violation of the arms embargo, provided that good-faith efforts were made to first obtain the consent of a vessel's flag State. Such authorization was renewed in resolution 2357 (2017) for another 12 months.

5. The membership of the Panel of Experts on Libya initially consisted of eight experts, was then reduced to five experts under resolution 2040 (2012) and then again was increased to six experts under resolution 2146 (2014). The Panel's mandate was renewed most recently in resolution 2362 (2017).

6. Further background information on the Libya sanctions regime can be found in the previous annual reports of the Committee.

III. Summary of the activities of the Committee

7. The Committee met two times in informal consultations, on 19 May and 21 August, in addition to conducting its work through written procedures. The Committee also met in joint informal consultations, on 10 November, with the Security Council Committee established pursuant to resolution 1591 (2005) concerning the Sudan and the Security Council Committee established pursuant to resolution 2206 (2015) concerning South Sudan. The Chair of the Committee participated in a joint open briefing, on 27 June, together with the Chair of the Security Council Committee pursuant to resolutions 1267 (1999), 1989 (2011) and 2253 (2015) concerning Islamic State in Iraq and the Levant (Da'esh), Al-Qaida and associated individuals, groups, undertakings and entities, and the Chair of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism, on the topic entitled "Challenges in countering terrorism in Libya".

8. During the informal consultations held on 19 May, the Committee heard a presentation by the Panel of Experts on its final report, submitted in accordance with paragraph 13 of resolution 2278 (2016), and discussed the recommendations contained therein.

9. During the informal consultations held on 21 August, the Committee heard a presentation by the Panel of Experts on its activities since the presentation of its previous final report and on its programme of work. The Committee also discussed follow-up action on a recommendation of the Panel from its previous final report.

10. Following the informal consultations held on 19 May, and in accordance with paragraph 1 (e) of the note by the President of the Security Council on the work of the subsidiary organs of the Security Council (S/2016/170), the Committee issued a press release containing a brief summary of the informal consultations.

11. During the joint informal consultations held on 10 November with the Security Council Committee established pursuant to resolution 1591 (2005) concerning the Sudan and the Security Council Committee established pursuant to resolution 2206 (2015) concerning South Sudan, the Committee heard briefings by the Panels of Experts on Libya, on the Sudan and on South Sudan, and held an interactive discussion with a view to achieving a common approach on how best to prevent Darfuri armed groups in Libya and South Sudan from engaging in destabilizing activities.

12. On 19 April, 7 June, 28 August and 16 November, the Chair of the Committee briefed the Security Council on the activities of the Committee, pursuant to paragraph 24 (e) of resolution 1970 (2011) (see S/PV.7922, S/PV.7981, S/PV.8032 and S/PV.8104).

13. The Committee received three implementation reports from three Member States and three inspection reports from a regional organization. The Committee responded to seven requests for guidance relating to the arms embargo, the asset freeze and the scope of the measures contained in paragraphs 10 (a) and (b) of resolution 2146 (2014).

14. The Committee sent 94 communications to 30 Member States and other stakeholders with reference to the implementation of the sanctions measures.

IV. Exemptions

15. Exemptions to the arms embargo are contained in paragraph 8 of resolution 2174 (2014), which supersedes the exemption contained in paragraph 13 (a) of resolution 2009 (2011) as modified by paragraph 10 of resolution 2095 (2013); paragraph 13 (b) of resolution 2009 (2011); and paragraph 9 (c) of resolution 1970 (2011).

16. Exemptions to the asset freeze are contained in paragraphs 19 to 21 of resolution 1970 (2011) and paragraph 16 of resolution 2009 (2011).

17. Exemptions to the travel ban are contained in paragraph 16 of resolution 1970 (2011).

18. Exemptions to the measures in relation to attempts to illicitly export petroleum, including crude oil and refined petroleum products, from Libya are contained in paragraphs 10 (c) and 12 of resolution 2146 (2014).

19. The Committee received an arms embargo notification invoking paragraph 13 (b) of resolution 2009 (2011), on which no negative decision was taken. Furthermore, the Committee approved nine arms embargo exemption requests invoking paragraph 9 (c) of resolution 1970 (2011). The Committee received one asset freeze notification invoking paragraph 19 (a) of resolution 1970 (2011), on which it took no negative decision. The Committee also approved one asset freeze notification invoking paragraph 19 (b) of resolution 1970 (2011). The Committee did not approve one asset freeze exemption notification invoking paragraph 16 of resolution 2009 (2011). The Committee twice approved an extension to a previously granted travel ban exemption request invoking paragraph 16 (a) of resolution 1970 (2011). The Committee granted one new travel ban exemption request, also invoking paragraph 16 (a) of resolution 1970 (2011).

V. Sanctions list

20. The criteria for the designation of individuals and entities as subject to the travel ban and asset freeze are set out in paragraph 22 of resolution 1970 (2011), paragraph 23 of resolution 1973 (2011), paragraph 11 of resolution 2146 (2014), paragraph 4 of resolution 2174 (2014), paragraph 11 of resolution 2213 (2015) and paragraph 11 of resolution 2362 (2017). The procedures for requesting listing and delisting are described in the Committee's guidelines for the conduct of its work.

21. The Committee listed two vessels attempting to illicitly export gasoil from Libya, on 21 July and 2 August respectively, and further renewed those listings on 20 and 31 October.

22. As at the end of the reporting period, there were 20 individuals, two entities and two vessels on the sanctions list of the Committee.

VI. Panel of Experts

23. On 5 May, in accordance with paragraph 13 of resolution 2278 (2016), the Panel of Experts provided its final report to the Committee (S/2017/466), which was transmitted to the Security Council on 1 June and issued as a document of the Council.

24. On 27 June, the Panel of Experts participated in the above-mentioned joint open briefing.

25. On 27 July, following the adoption by the Security Council of resolution 2362 (2017) on 29 June, the Secretary-General appointed six individuals to serve on the

Panel with expertise in arms (two experts), finance, armed groups, armed groups/regional matters and maritime transport matters (see S/2017/650). The mandate of the Panel expires on 15 November 2018.

26. The Panel conducted visits to Belgium, Cyprus, Egypt, France, Italy, Lebanon, the Niger, Qatar, South Africa, the Sudan, Sweden, Tunisia, Turkey, the United Arab Emirates, the United Kingdom of Great Britain and Northern Ireland and the United States of America. In Libya, members of the Panel undertook visits to Tripoli.

27. In pursuance of its mandate, the Panel, through the Secretariat, sent 125 letters to Member States, the Security Council, the Committee and international and national entities.

VII. Secretariat administrative and substantive support

28. The Security Council Affairs Division provided substantive and procedural support to the Chair and the members of the Committee. Advisory support was also provided to Member States to promote understanding of the sanctions regimes and facilitate the implementation of the sanctions measures. Induction briefings were also provided to incoming members of the Council to familiarize themselves with the specific issues relevant to the sanctions regime.

29. To support the Committee in its recruitment of well-qualified experts to serve on sanctions monitoring groups, teams and panels, a note verbale was sent to all Member States on 11 December to request the nomination of qualified candidates for membership of the roster of experts. In addition, a note verbale was sent to all Member States on 4 April notifying them of upcoming vacancies on the Panel of Experts and providing information on recruitment timelines, areas of expertise and pertinent requirements.

30. The Division continued to provide support to the Panel of Experts, conducting an induction for newly appointed members and assisting in the preparation of the Panel's final report submitted in May.

31. The Panel participated in the fifth annual inter-panel coordination workshop, held in New York on 5 and 6 December, organized by the Secretariat. On 7 and 8 December, the Division, in cooperation with United Nations system partners, conducted a workshop on investigative interview techniques for 10 experts from sanctions monitoring groups, teams and panels.

32. The Secretariat continued to update and maintain the Consolidated United Nations Security Council Sanctions List and the Committee-specific sanctions lists in the six official languages and the three technical formats. Furthermore, the Secretariat implemented improvements concerning the effective utilization of and access to sanctions lists, including through the creation of links within list entries, as appropriate, to INTERPOL-United Nations Security Council Special Notices, as well as the development in English of the data model approved in 2011 by the Committee pursuant to resolutions 1267 (1999), 1989 (2011) and 2253 (2015) concerning Islamic State in Iraq and the Levant (Da'esh), Al-Qaida and associated individuals, groups, undertakings and entities, as requested by the Security Council in paragraph 48 of resolution 2253 (2015).